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8 **UNITED STATES DISTRICT COURT**

9 **DISTRICT OF NEVADA**

10 UNITED STATES OF AMERICA, )  
11 Plaintiff, )  
12 v. ) 2:13-CV-1025-MMD-(CWH)  
13 \$105,120.00 IN UNITED STATES )  
14 CURRENCY, )  
15 Defendant. )

16 **DEFAULT JUDGMENT OF FORFEITURE**

17 The United States filed a verified Complaint for Forfeiture in Rem (ECF No. 1) on June 10,  
18 2013. The Complaint (ECF No. 1) alleges the defendant property:

- 19 a. was furnished or was intended to be furnished in exchange for controlled  
20 substances in violation of Title II of the Controlled Substances Act, 21 U.S.C.  
21 § 801 *et seq.*, and is subject to forfeiture to the United States pursuant to 21  
22 U.S.C. § 881(a)(6);
- 23 b. is proceeds traceable to exchanges of controlled substances in violation of  
24 Title II of the Controlled Substances Act, 21 U.S.C. § 801 *et seq.*, and is  
25 subject to forfeiture to the United States pursuant to 21 U.S.C. § 881(a)(6);  
26 and

1 c. was used or was intended to be used to facilitate violations of Title II of the  
2 Controlled Substances Act, 21 U.S.C. § 801 *et seq.*, and is subject to forfeiture  
3 to the United States pursuant to 21 U.S.C. § 881(a)(6).

4 Public notice of the forfeiture action and arrest was given to all persons and entities by  
5 publication on the official government website [www.forfeiture.gov](http://www.forfeiture.gov) from October 18, 2013, through  
6 November 16, 2013. Notice of Filing Proof of Publication, ECF No. 11.

7 On June 12, 2013, the Court entered an Order for Summons and Warrant of Arrest in Rem  
8 for the Property and Notice (ECF No. 6) and issued the Summons and Warrant of Arrest in Rem for  
9 the Property (ECF No. 7).

10 Pursuant to the Order (ECF No. 6), the Complaint (ECF No. 1), the Order (ECF No. 6), the  
11 Summons and Warrant (ECF No. 7), and the Notice of Complaint for Forfeiture (ECF No. 12, p. 3-4  
12 and 21-22; ECF No. 13, p. 14-16) were served on the defendant property and all persons claiming an  
13 interest in the defendant property. All persons interested in the defendant property were required to  
14 file their claims with the Clerk of the Court no later than 35 days after the notice of this action was  
15 sent by mail, followed by the filing of an answer to the Complaint within 21 days after the filing of  
16 their respective claims. Complaint, ECF No 1; Order for Summons and Warrant of Arrest in Rem for  
17 the Property and Notice, ECF No. 6; Summons and Warrant Issued by the Clerk, ECF No. 7; Notice  
18 of Filing Service of Process, ECF Nos. 12-13).

19 On June 17, 2013, the United States Marshals Service served the Complaint, the Order, the  
20 Summons and Warrant of Arrest in Rem for the Property, and the Notice by executing them on the  
21 defendant property. Notice of Filing Service of Process, ECF No. 12, p. 2-19.

22 On December 11, 2013, the United States Marshals Service personally served Keith Eric  
23 Harris with the Complaint, the Order, the Summons and Warrant of Arrest in Rem for the Property,  
24 and the Notice. ECF No. 12, p. 20-37.

25 ...

26 ...

1 On November 20, 2013, Steve Buck was served, by and through his counsel, Roger T.  
2 Nuttall, Esq., by regular and certified return receipt mail with the Complaint, the Order, the  
3 Summons and Warrant of Arrest in Rem for the Property, and the Notice. On January 8, 2014, Drug  
4 Enforcement Administration Special Agent Marc Laing discovered through an open source query  
5 that the deceased body of Buck was found on May 27, 2013. Notice of Filing Service of Process,  
6 ECF No. 13 p. 3-8 and 14-31.

7 On November 20, 2013, James Robert Mead was served by regular and certified return  
8 receipt mail with the Complaint, the Order, the Summons and Warrant of Arrest in Rem for the  
9 Property, and the Notice. Notice of Filing Service of Process, ECF No. 13 p. 9-31.

10 No person or entity has filed a claim, answer, or responsive pleading within the time  
11 permitted by 18 U.S.C. § 983(a)(4) and Fed. R. Civ. P. Supp. Rule G(4) and (5).

12 Keith Eric Harris is not in the military service within the purview of the Servicemembers  
13 Civil Relief Act.

14 Stephen Dennis Buck is not in the military service within the purview of the Servicemembers  
15 Civil Relief Act.

16 James Robert Mead is not in the military service within the purview of the Servicemembers  
17 Civil Relief Act.

18 On January 24, 2014, the United States filed a Request for Entry of Default against the  
19 defendant property and all persons or entities who claim an interest in the defendant property in the  
20 above-entitled action. Request for Entry of Default, ECF No. 15.

21 On January 27, 2014, the Clerk of the Court entered a Default against the defendant property  
22 and all persons or entities who claim an interest in the defendant property in the above-entitled  
23 action. Default, ECF No. 16.


24 The allegations of the Complaint are sustained by the evidence and are adopted as findings of  
25 fact. The Court concludes as a matter of law that the United States is entitled to the relief requested  
26 in the Complaint.

1 NOW, THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that  
2 Default Judgment of Forfeiture be entered against: (1) the \$105,120.00 in United States Currency;  
3 (2) Keith Eric Harris; (3) Stephen Dennis Buck; (4) James Robert Mead; and (5) all other persons or  
4 entities who may claim an interest in the defendant property in the above-entitled action.

5 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that said property be, and the  
6 same is hereby forfeited to the United States of America, and no right, title, or interest in the  
7 property shall exist in any other party.

8 IT IS HEREBY CERTIFIED, pursuant to 28 U.S.C. § 2465(a)(2), that there was reasonable  
9 cause for the seizure or arrest of the defendant property.

10  
11 Dated: February 2, 2014

  
UNITED STATES DISTRICT JUDGE